

REMARKS

In the Final Office Action, Claims 28-48 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Slotznick (U.S. 6,011,537). Applicant respectfully traverses and requests reconsideration of those rejections.

The present invention provides a method for automatically swapping focus from a communications application to another application while the communications application is downloading information. As recognized by those of ordinary skill in the art, an application is considered to have the focus if that application is acting as the primary recipient of user input. Thus, for example, focus could automatically be switched from a Web browser to a word processing application, so that a user could resume typing a letter while a Web page is being downloaded.

Importantly, as recited in Claim 28, the present invention "automatically switch[es] focus from said communications application" to another application that is "simultaneously running at said local network site" at the time that a "link to a remote network site" is selected. Thus, the present invention involves swapping among existing applications (*i.e.*, among applications that are already running at the local network site when the link is initiated).

Like the art cited in the first Office Action, Slotznick neither discloses nor suggests swapping focus from a communications application to another existing application. By contrast, as indicated by **Figures 4 and 5** and line 52 of column 21 through line 54 of column 22, Slotznick is instead directed primarily towards a single application that displays multiple windows, particularly an enhanced Web browser capable of displaying "primary data" in one window while associated "secondary data" is being downloaded into another window. Applicant can find nothing in Slotznick that discloses or

suggests automatically swapping focus from the Web browser to another existing multi-tasking application.

The Final Office Action cites numerous sections of Slotznick that describe a browser application which utilizes multiple windows to display primary data and secondary data. Further, the Final Office Action equates the windows of Slotznick with the applications of the present application.

However, it is improper to do so, as windows and applications simply are not interchangeable concepts, either in the abstract or as utilized in Slotznick and the present application. As recognized in the third edition of the Microsoft Press Computer Dictionary, an application is a "program designed to assist in the performance of a specific task, such as word processing, accounting, or inventory management;" whereas a window is "a portion of the screen that can contain its own document or message." The present invention does not merely swap between windows of a single application; the present invention swaps to another application. For example, as recited in dependent Claims 32, 39, and 46, focus can be swapped to a previously utilized application, such as a word processor that was being used to draft a letter. The present invention therefore facilitates productivity increases in a way that is neither disclosed nor suggested by Slotznick, with its single browser application.

In the rejection of the pending independent claims (*i.e.*, Claims 28, 35, and 42), the Final Office Action asserts that lines 29-33 of column 33 of Slotznick teach automatically switching focus among multiple, concurrent applications. The cited lines relate to code for filtering downloaded documents, and those lines do mention that filtering code can be implemented as a memory resident application, such as a virus checker, which could run concurrently with a Web browser application. However, the cited lines do not teach that focus might be switched to the memory resident application. On the contrary, the preceding sentences of Slotznick explain that the purpose of the filtering code is to prevent the secondary information

from being displayed (col. 33, lines 3-8) and that the filter program "remains loaded and runs, *but is not displayed* except as a small button or icon [such as an icon in a Windows-like status bar] which indicates that the program is active and running," (col. 34, lines 57-59, emphasis added). Slotznick therefore does not teach swapping focus to a multi-tasking application, but, instead, explicitly teaches away from such functionality. The Final Office Action also cites lines 13-26 of column 34, but those lines simply relate to how the filtering program might monitor information and do not relate to swapping focus to the filtering program or otherwise causing the filtering program to be displayed.

The Final Office Action also asserts that lines 34-57 of column 7 of Slotznick teach swapping from the communications application to another multi-tasking application. However, those lines do not disclose or suggest swapping to an existing application (such as a recently-utilized word processor), but instead relate to starting a new program. In particular, Slotznick explains that what causes "the JavaScript ... for displaying the full secondary information" to be started is, for example, the click on the hyperlink. By contrast, as explained above, the present invention does not start a new application but swaps focus to an existing application, thereby allowing a user to resume previous task, for example.

Also, the Final Office Action dismisses the arguments of Applicant's Amendment A as moot in light of the new grounds of rejection. It should be noted, however, that the similarities between Slotznick and the primary reference cited in the first Office Action (*i.e.*, Judson, U.S. 5,737,619) are so substantial that many of the arguments of Amendment A are also applicable to Slotznick. For example, both Judson and Slotznick relate to Web browsers that display intermediate messages in response to user activation of hyperlinks. Both Judson and Slotznick deal with what content will be presented by the browser applications. However, neither Judson nor Slotznick suggests switching focus to a different application.

For all of the foregoing reasons, Slotznick neither discloses nor suggests all of the features recited in the independent claims of the present application (i.e., claims 28, 35, and 42). Furthermore, claims 29-34, 36-41, and 43-48 include all of the features of independent claims 28, 35, and 42, respectively, and describe additional new and unobvious features of various embodiments of the present invention. For example, Claims 30, 37, and 44 recite the feature of "automatically switching focus back to said communications application operates only after ... expiration" of a "predetermined period of time in which no user input has been received." The Final Office Action cites lines 8-19 of column 21 as teaching this feature, but Applicant can find no mention of user input in those lines.

Also, Claims 32, 39, and 46 recite "automatically switching focus to [a] previously utilized application" among the multi-tasking applications. The Final Office Action cites lines 37-54 of column 22 and lines 33-62 of column 23 as teaching this feature, but Applicant can find no mention of a "previously utilized application" in those lines. The Final Office Action also asserts that "it would be obvious that since there can be more than one window holding secondary data that one could be identified." That assertion, however, does not explicitly address important terms in the claim, terms such as "application" and "previously utilized." Furthermore, that assertion is not supported by any reference of record.

Further, Claims 33, 40, and 47 recite an application ring that lists preferred applications for receiving focus while access to a remote network site is delayed. The Final Office Action cites no explicit teaching of this feature (other than referring to the rejection for Claim 32), but states something about it being obvious that "the user is therefore consulting the windows." The concept of consulting windows, however, has nothing to do with the concept of an application ring that lists preferred applications for receiving focus. Furthermore, Applicant can find nothing in the lines cited against Claim 32 relating to a ring of applications.



For all of the foregoing reasons, the Final Office Action does not make out a prima facie case of obviousness for any of the pending claims. Applicant consequently respectfully traverses and requests reconsideration of all of the § 103(a) rejections.

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Applicant has diligently responded to the Office Action by requesting reconsideration and by pointing out with particularity how the claims as presented patentably define the invention over the prior art of record. A Notice of Allowance of the claims now pending is therefore respectfully requested.

No extension of time is believed to be required in submitting this response; however, in the event that an extension of time is required, please consider that extension requested and please charge any required fee, as well as any other fees necessary to further the prosecution of this application, to IBM Corporation's Deposit Account No. 09-0465.

Respectfully submitted,

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